

**REMARKS/ARGUMENTS**

Reconsideration is respectfully requested of the Office Action of May 27, 2009

A request for a two-month extension of time, together with the associated fee, is filed herewith.

Claims in the case are 1-5, 7-29 and 31-54.

Claims 7-17, 19-23, 31-48 and 50-54 stand withdrawn.

Applicants request rejoinder of the withdrawn claims upon an indication of allowable subject matter.

Claim 1 has been amended to incorporate the subject matter of Claim 6. Claim 7 has been similarly amended. Also, Claim 24 has been amended to incorporate the subject matter of Claim 30. Process Claim 31 has been amended to be consistent with the above claims. No new matter has been introduced.

Claim 1 has also been amended to clarify that group (i) is bridged with oxygen as suggested in the Office Action on page 3.

The rejection of Claims 1-5, 18, 24-30 and 49 (all claims under examination) under 35 U.S.C. § 103(a) in view of *Inda, et al.* US patent 6,45,677, is traversed and reconsideration is respectfully requested.

All claims herein specify that the claimed pyrogenic oxidic powder is substantially free of  $\text{Li}_2\text{O}$ . In contrast, *Inda, et al.*, clearly teach that their glass-ceramic powder contains  $\text{Li}_2\text{O}$ ; see Example 1 in col. 5 at l. 42.

No suggestion appears in *Inda, et al.* to eliminate the  $\text{Li}_2\text{O}$ . In fact, to do so would be directly contrary to the teachings of the reference.

Therefore, applicants respectfully submit that the Office Action does not establish anticipation or *prima facie* obviousness of the claimed subject matter.

App. No. 10/534,952  
Amend. dated Oct. 13, 2009  
Resp. to OA of May 27, 2009

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Withdrawal of the rejection is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. G. Weilacher', written in a cursive style.

By: Robert G. Weilacher, Reg. No. 20,531

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